

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEWMARK & COMPANY REAL ESTATE,
INC.,

Plaintiff,

-against-

KS 50 SUSSEX AVENUE LP et al.,

Defendants.

23-cv-3888 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

As the parties agree and have shown, Plaintiff and Defendants were New York citizens at the start of this action, depriving the Court of subject-matter jurisdiction. *See* Dkt. 55. The case is thus DISMISSED WITHOUT PREJUDICE. The Clerk of Court is directed to close this case.

The Court will retain jurisdiction, however, over Plaintiff's sanctions motion. *See Willy v. Coastal Corp.*, 503 U.S. 131 (1992); *Castillo Grand, LLC v. Sheraton Operating Corp.*, 719 F.3d 120, 124 (2d Cir. 2013). Plaintiff may file such a motion by April 26, 2024. Defendants' response will be due by May 10, 2024, and Plaintiff's reply will be due by May 17, 2024.

SO ORDERED.

Dated: April 10, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge